

Maryland State Board of Morticians and Funeral Directors

Spring, 2009

LICENSE FEES TO INCREASE

Dear Licensees:

The Board of Morticians and Funeral Directors (Board) is entirely supported through licensing fees. The fee that the Board receives for issuing 1,500 licenses must cover a multitude of expenses including the salary of four staff members, a percentage of our Board Counsel's salary plus a small portion of five additional support staff. The support staff include a Fiscal Officer, Regulations Coordinator and three IT people. The Board is also assessed a yearly fee for indirect costs. For example, the Board is charged a percentage of the Administrative Prosecutor's salary. When you add to the mix the cost of rent (\$28,000 in FY '10), funeral home inspections, basic office supplies, equipment, the Board's expenditures become significant.

When reviewing the budget for the next few years it became apparent that the Board's expenditures are greater than its revenue, especially during the Board's odd fiscal years. During those years (2009, 2011, 2013) the Board licenses corporations, surviving spouses, funeral directors, funeral establishments and courtesy cards. All together the Board renews not quite 500 licensees during the odd years and the licensing fees for renewals do not support the Board's budget.

During even fiscal years, the Board's revenue is about the same as its expenditures. During 2010, the Board expects

to renew about 930 morticians' licenses.

After a review of the budget for the upcoming years, the Board began to look at budget items that could be cut. The Board voted to significantly cut most of the expenditure items that it controls. The problem is that most of the Board's expenses are mandated. In fact, the Board controls only about 10% of a roughly \$500,000 budget.

Items that the Board controls include: in-state transportation for funeral home inspections (\$23,000), out-of-state transportation (2,000), printing (\$14,000), postage (\$5,900) and office supplies and equipment (\$2,500). To help with transportation expenses, the Board has submitted a regulation which would mandate funeral home inspections every other year as opposed to every year. The Board has cut printing and postage expenses in half. The new budget allocated \$1,500 to office supplies instead of \$2,500, a savings of \$1,000 dollars.

And yet, despite these cost-saving measures, the Board still faced a significant deficit. Consequently, and with a great deal of thought, it voted to increase fees. The last time fees were increased was in 2001. Obviously, the price of just about everything has gone up since 2001 and, I am sure, your prices have increased since 2001, as well. Regardless, it is with a heavy heart that the Board voted to increase licensing fees.

The Board voted to increase all licensure fees an additional \$100.00. This means that the morticians renewal fee will be \$600 the establishment fee will be \$700 and the corporation fee will be \$975.

The Board also voted on an administrative fee to be charged to funeral establishments when the licensee fails to allow the inspector to inspect the establishment for no apparent reason. Funerals, consultation with a family and vacations are legitimate reasons for delaying an inspection. However, inspections delayed for non-approved reasons will result in a fine of up to \$100.00.

Finally, though the Board will lose revenue, it voted to delegate continuing education approval to the Academy of Professional Funeral Service Practice (the "Academy"). All CEU sponsors will be directed to the Academy. The Academy will review each CEU offering and determine the number of credits for each class. Also, any programs that have been approved by a national funeral service organization, state association and local association will automatically be approved.

If you have questions or concerns about the above changes, don't hesitate to call the Board's office for more information.

Sincerely,


Dr. Hari Close,
Board President

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Board Members

Dr. Hari Close
Board President

Rev. Henry Green
1st Vice President

Gladys Sewell
2nd Vice President

David Hovatter
Secretary

Members at Large
Michael Kruger

Marshall Jones, Jr.

Vernon Strayhorn, Sr.

Robert Bradshaw, Jr.

Donald Borgwardt

Lauri Cebula-Seaboch

Renee Derkatsch

Legislative Update

SB910

Repealing an exemption for a crematory from the scope of the Maryland Morticians and Funeral Directors Act; authorizing the State Board of Morticians and Funeral Directors to inspect the records, premises, equipment, and physical operations of licensed funeral establishments and licensed crematories; prohibiting an individual or specified entities from establishing, owning, or operating a crematory in the State on or after a specified date unless the crematory is licensed; etc. **Unfavorable Report by HGO**

HB246

Prohibiting the Maryland Insurance Commissioner from requiring an insurance producer to receive more than 16 hours of continuing education in a renewal period if the insurance producer is also a licensed funeral director or licensed mortician who sells only specified life insurance policies or annuity contracts that fund a specified pre-need contract. **Passed with amendments**

HB1172

Requiring the Postmortem Examiners Commission to adopt regulations relating to death that permit the deputy medical examiner or forensic investigator to consider expediency of response when arranging for transportation services of human remains from a scene of death. **Unfavorable Report by HGO**

HB1164

Requiring the Secretary of Health and Mental Hygiene to adopt regulations requiring persons authorized by State or local law to transport the remains of a decedent to show the decedent proper dignity as expected under accepted mortuary standards and practices.

Unfavorable report from HGO

HB0647

Authorizing the Maryland Insurance Commissioner to issue a limited lines license to a licensed mortician or licensed funeral director to sell life insurance or an annuity product to fund a pre-need contract or the payment of benefits for funeral goods or services. **Unfavorable report by Economic Matters - Withdrawn**

SB455

Authorizing the Maryland Insurance Commissioner to issue a limited lines license to a licensed mortician or licensed funeral director to sell life insurance or an annuity product used solely to fund a pre-need contract. **Unfavorable report by Finance - Withdrawn**

HB482

Providing exceptions to the prohibition against a person removing or attempting to remove human remains from a burial site; authorizing specified persons to arrange for the removal and relocation of the cremated remains of a decedent from a burial site or permanent cemetery, or the relocation of human remains of a decedent within the boundary of a cemetery containing the original burial site, without obtaining authorization from a State's Attorney or providing a specified notice; etc. **Passed with amendments**

HB1405

Making specified employees of the Department of the Environment who are killed or die in the performance of specified duties eligible for specified death benefits and funeral expenses under specified circumstances **Unfavorable report by Appropriations.**

HB787

Providing that specified individuals employed as emergency responders for the Department of the Environment are eligible for specified State death benefits and funeral expenses; defining terms; and requiring the Department to place in reserve each fiscal year a specified amount to pay a specified death benefit under specified circumstances. **Passed with amendments.**

HB250

Authorizing nurse practitioners to fill out and sign a certificate of death under specified circumstances. **Passed with amendments**

Family Security Trust Fund Advisory Board

The Board has established a Family Security Trust Fund Advisory Board, as mandated in HB1090.

The Advisory Board consists of five members: three from the Board of Morticians and Funeral Directors; one from the Maryland State Funeral Directors Association; and one from the Funeral Directors and Morticians Association of Maryland, Inc. Members include Hari Close, Henry Green, Lauri Cebula-Seaboch, Ed Lasahn, and Cynthia Galmore, respectively.

The Advisory Board's purpose is to provide nonbinding counsel and advice to the Board on any Fund matters. The Advisory Board's first meeting will be June 4, 2009.

The Board is mandated by law to collect a fee of \$375 every fiscal year until the fund reaches \$1,000,000. All licensed funeral establishments are subject to this fee. The trust fund gives the Board the authority to provide restitution to those individuals whose preneed funds have been misappropriated.

Public Orders

Fort Lincoln Funeral Home
Consent Order
November 12, 2008

Anthony Ward
Consent Order of Reinstatement
March 11, 2009

Hines Rinaldi
Consent Order
November 12, 2008

Duane Coppler
Consent Order
November 12, 2008

Public Consent Orders can be found on the Board's Website

Apprentices

Marci Collins-Stewart
Bradley Joseph Duffy
Regina Mary Gualtieri
Tabitha Huff
Walter Nathan Malloy, Jr.
Theresa Neal
Rebecca Miriam Hackerman
Carmalita March
Victor March, Jr.
Renoll Terrell Morgan
Dadedrick Rivers
Dawn Rich

Karen Carrington
Steven Napper
Kathleen Laing Morton
Travis James Hatfield
Melissa Carol Greenhut
Vincent Ellis Hill
Charles Bernard Pattman
Lorraine Jones Brown
Sherry Lynn Erb
Terrance McHugh
David Golaner

Morticians

Wondel Brown
Alan Howard Sanders
Keith Phifer
Wayne Kenneth McNail
George Spears
Abraham Teah
Mohammed Hussain, M.D.
Susan Theresa Burleson
Samuel Cooper, Jr.
Jessica Amorose
Joan Ellen Greene
Phillip Beard II
Darnell McPherson
Todd Higginson
Regina Mary Gualtieri
Sherry Lynn Erb-Fyffe
Katrina Ferguson

Reactivations

David Adam Goff

Reinstatements

Tyler David Clymer
Michele Vetula

Funeral Establishments

Hafer Funeral Service, P.A., 58 Frost Avenue, Frostburg, Md. 21532
Evans Funeral Chapel & Cremation Service, 16924 York Road, Monkton, MD 21111
Wiseman Funeral Home, P.A., 4710 Auth Place #555, Camp Springs, MD 20746
Oden Funeral Service, valid at Joseph G. Locks Funeral Home, 1302 N. Central Ave. Baltimore, MD 21202
Phillip Bell Sr. & Winona Morrisette-Johnson, P.A., valid at Chambers Funeral Home, 5801 Cleveland Ave. Riverdale, MD. 20737
Newman Funeral Home, P.A., 205 South Second Street, Oakland, Md. 21550
Holloway Funeral Home, P.A., 107 Vine Street, Pocomoke, Maryland, 21851
Henry W. Jenkins & Sons Company, 16924 York Road, Monkton, Maryland 21111



STATE OF MARYLAND
Board of Morticians and Funeral Directors

DHMH

Maryland Department of Health and Mental Hygiene

Martin O'Malley, Governor - Anthony Brown, Lt. Governor - John Calmers, Secretary

4201 Patterson Avenue
Room 116
Baltimore, Maryland 21215

Phone: 410-764-4792

Fax: 410-358-6571

Email: sheffield@dhmh.state.md.us

Web address: www.dhmh.state.md.us/bom

Board Staff:

Laurie Sheffield-James
Executive Director

LouAnn Cox
Deputy Director

Ruth Ann Arty
Health Occupations Investigator

Sheryl McDonald
Office Secretary

Grant Gerber
Board Counsel, AG's Office

Did You Know?

Routine Inspection Process

The Board is taking the function of inspecting funeral homes very seriously. As already noted, the Board will impose a fee for delayed inspections, when appropriate.

Please note that the inspector may inspect during business hours. Business hours are determined to be anytime that the funeral establishment is open to the public.

The Board will request all paperwork prior to the inspection. This will give the inspector a chance to review the paperwork and discuss any issues at the inspection.

Finally, the inspector will audit pre-need paperwork at the time of the inspection. All paperwork should be located at the establishment. If you have any questions about the inspection process, please call the Board office and ask to speak with Ruth Ann.

State Law Exam

The Jurisprudence exam is now offered every other month. Applicants who are invited to take the exam may take the test on any of the following dates: June 4, August 6, October 8, and December 3, 2009. While the law exam is offered bimonthly, the practical exam will only be offered twice a year on April 2 and October 8, 2009.

Reminder

- Be sure to take one Continuing Education Unit in pre-need law. Though CEU's are not due until April 30, 2010, now is the time to think about where and when you will get your required pre-need CEU.
- Don't forget to register as a known shipper with your airline carriers!

Division of Vital Records

The Division of Vital Records is no longer open on Saturdays. Office hours for the public will be Monday thru Friday from 8:00am until 4:00 pm.

Maryland Professional Volunteers

The Maryland Professional Volunteers Corps consists of health care and community professionals ready to assist with disaster and emergency recovery during a declared emergency situation. The MPVC is comprised of volunteers who are credentialed by their respective licensing Boards through the Department of Health and Mental Hygiene (DHMH) or who have been designated by DHMH.

The Maryland State Board of Morticians and Funeral Directors is a member of the Maryland Professional Volunteer Corps. If you would like to obtain information or join MPVC as a volunteer to represent the funeral industry you may access the MPVC contact information on the Board's website at www.dhmh.state.md.us/bom or directly through the Maryland DHMH Web site: <http://bioterrorism.dhmh.state.md.us/volunteer.htm>